

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Telecommunications Relay Services)	
And Speech-to-Speech Services for)	
Individuals with Hearing and Speech)	
Disabilities)	CG Docket No. 03-123
)	
AT&T Petition for Reconsideration and)	
Limited Waiver)	
)	
Verizon Petition for Reconsideration)	

COMMENTS OF SBC COMMUNICATIONS INC. TO PETITIONS FOR RECONSIDERATION

SBC Communications Inc (“SBC”) hereby responds to the Petitions for Reconsideration filed in the foregoing docket.¹ SBC agrees with AT&T that clarification and perhaps reconsideration is needed with respect to TRS providers’ obligation to provide three-way calling. Further, SBC agrees with Verizon that TRS Providers are incapable of ensuring that emergency 711 calls are routed to the same PSAP number, as if 911 were dialed.

Three-way Calling Feature. In its *Second Improved TRS Order*,² the Commission determined that TRS providers currently offer three-way calling in one of two ways: (1) the Communications Assistant (“CA”), upon request, sets up the call with the other two parties, or (2) the TRS user sets up the call using the flash button process traditional telephony users employ, and then dials 711 to bridge on the CA for facilitation of the call.³ Because the record

¹ See *AT&T Petition for Limited Reconsideration and for Waiver*, CC Docket No. 98-67, CG Docket No. 03-123, filed September 23, 2003; and *Petition for Reconsideration of Verizon*, CC Docket 98-67, CG Docket No. 03-123, fled September 29, 2003.

² See *Telecommunications Relay Service and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking, CC Docket No. 98-67, CG Docket No. 03-123 (NPRM), FCC 03-123, 18 FCC Rcd 12379, (June 17, 2003) (*Second Improved TRS Order*).

³ *Id.*, ¶73.

reflected that three-way calling is technically feasible, the Commission required three-way calling as a minimum standard for TRS.

SBC does not disagree with the Commission's conclusion, but agrees with AT&T that clarification is needed. AT&T interprets the *Second Improved TRS Order* as requiring TRS providers to offer three-way calling under *both* processes described above. SBC does not interpret the order in this way, but agrees that the order could be clearer. To remove any ambiguity, the Commission should clarify its rules with respect to three-way calling in two respects.

First, the Commission should clarify that TRS providers participating in the facilitation of a three-way call in one of the two ways identified in the *Second Improved TRS Order* (described above) satisfies the Commission's requirement that a TRS provider "offer three-way calling." This means, if a TRS provider does not, upon request, set up a call with the other two parties, *but* will facilitate the call once the TRS user has connected to two telephone lines using the flash button, the TRS provider would be in compliance. To the extent AT&T's interpretation is correct, SBC agrees with AT&T, for the reasons set forth in AT&T's Petition, that it may be technically infeasible for TRS providers to participate in three-way calling where the CA sets up the three-way call.

Second, the Commission should clarify that under both processes identified, the TRS provider is not "providing" three-way calling, but rather facilitating the relay of the voice and/or text messages (and the set up in some instances) among the three participants to the call. The Commission incorrectly describes this process as the TRS provider "offering three-way calling," but the TRS user, in fact, is obtaining this feature from its local exchange carrier, not the TRS provider. To the extent a TRS user has not subscribed to three-way calling from the LEC, the TRS provider would be incapable of setting up or participating in a three-way call. So long as the TRS provider participates in a three-way call in one of the two ways identified in the *TRS Order*, the TRS provider should be in full compliance with the Commission's three-way calling requirement.

Handling of 711 Emergency Calls. In the *Second Improved TRS Order*, the FCC required TRS providers to route 711 wireline emergency calls to the appropriate PSAP, which is the PSAP to which a direct call from a NPA-NXX-XXXX would be delivered. SBC strongly agrees with Verizon that the Commission's rules regarding 711 emergency calls are wholly unnecessary and should be eliminated.

TRS users already have functional equivalence under the ADA. All end users, including TRS users, can have their calls routed to the appropriate PSAP, as defined by the Commission, if they dial 911. To the extent the Commission is concerned that TRS end users are unaware of their ability to dial 911 directly for emergency calls, the Commission should take measures to ensure greater education on this issue. If certain 911 PSAPs are not complying with their obligation to handle TTY calls, the Commission should take action to remedy this malfeasance. But to require TRS providers to invest additional resources in a 711 emergency process, when there is an established 911 emergency process already in place available to all end users, is uneconomic, inefficient and contrary to the public interest.

Nevertheless, if the Commission continues to believe that a 711 process is warranted for emergency calls, SBC agrees with Verizon that many TRS providers will be incapable of complying with this requirement absent significant upgrades to their facilities. When a 911 emergency call is made, the LEC uses the caller's NPA-NXX-XXXX to determine the appropriate PSAP for emergency calls. When a 711 call is made, SBC, Verizon, Sprint, AT&T and likely many other TRS providers use the NPA-NXX of the caller to determine the appropriate PSAP. This is a critical distinction. While the 911 selective router uses the caller's ten-digit telephone number, PSAP databases used by most, if not all, TRS providers use only the first six digits of the caller's number. Consequently, TRS providers could never guarantee the routing of a 711 emergency call to the appropriate PSAP, as defined by the Commission, without significant upgrades to their facilities. Specifically, TRS providers would have to upgrade their switches and build trunks to the serving LEC's 911 selective router so that the call would be

treated as if the caller dialed 911. This of course would prove nonsensical given that TRS users could simply dial 911 in the first instance.

SBC agrees with Verizon that the Commission – assuming it does not eliminate these requirements all together as previously suggested – should revise its definition of “appropriate PSAP” such that TRS providers that use PSAP databases that rely on the caller’s NPA-NXX would be in compliance with the Commission’s rules.

For the foregoing reasons, SBC supports Verizon and AT&T’s Petitions for Reconsideration to the extent specified herein.

Respectfully Submitted,

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October 20, 2003

CERTIFICATE OF SERVICE

I, Lacreteria Hill, do hereby certify that a copy of **Comments of SBC Communications Inc to Petitions for Reconsideration** has been served on the parties below via first class mail – postage prepaid on this 20th day of October 2003.

/s/ Lacreteria P. Hill

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